

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

DAVID JACOBSON, LDOC #55309	§	PETITIONER
v.	§	Civil Action No. 1:10cv112-LG-RHW
STATE OF MISSISSIPPI	§	RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATIONS

BEFORE THE COURT is the Report and Recommendations [15] entered by United States Magistrate Judge Robert H. Walker on October 13, 2010. Judge Walker recommends that the Respondent's Motion [11] to Dismiss David Jacobson's Petition for Writ of Habeas Corpus be granted and that Jacobson's Motion [13] for Taxation of Costs be denied.

Jacobson was advised that he must file any objections to Judge Walker's recommendations within fourteen days of being served with a copy of the Report and Recommendations. The Court record reveals that Jacobson received the Report and Recommendations prior to October 21, 2010, but he has not filed an objection to the Report and Recommendation. (See Acknowledgment of Receipt [16]).

Where no party has objected to the Magistrate Judge's report and recommendation, the Court need not conduct a *de novo* review of it. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). In such cases, the Court need only satisfy itself that there is no clear error on the face of the record. *Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1420 (5th

Cir. 1996).

Having conducted the required review, the Court finds that Judge Walker's Report and Recommendations is neither clearly erroneous nor contrary to law. Therefore, the Court finds that the Report and Recommendations entered by Judge Walker should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Report and Recommendations [15] entered by United States Magistrate Judge Robert H. Walker, be, and the same hereby is, adopted as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the Respondent's Motion [11] to Dismiss David Jacobson's Petition for Writ of Habeas Corpus as moot is **GRANTED** and Jacobson's Motion [13] for Taxation of Costs is **DENIED**. This lawsuit is **hereby DISMISSED**.

SO ORDERED AND ADJUDGED this the 8th day of November, 2010.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE